

# United States Court of Appeals

Eleventh Circuit  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

John Ley  
Clerk

November 9, 2010

NOTICE TO ALL COUNSEL OR RECORD:

No. 08-15444 - Warren Lee Hill, Jr. v. Derrick Schofield

Dear Counsel:

Enclosed is an order entered by the court directing that this case be reheard en banc. Under Eleventh Circuit Rule 35, the effect of granting rehearing en banc is to vacate the previous opinion and judgment of this court and to stay the mandate.

You will be notified by subsequent correspondence of the schedule for filing en banc briefs, the issue(s) which the court wishes the parties to focus on in their briefs, and the page limitations on them. We will communicate with you at a later time regarding report time and time limitations on oral argument should this case be designated for oral argument.

Sincerely,

JOHN LEY, Clerk

By \_\_\_\_\_  
Joyce T. Pope  
Calendar Clerk

Brian S. Kammer (FAX 404-222-9212)  
Beth Attaway Burton (FAX 404-651-6459)  
Clerk, U.S. District Court (MGA-Albany, GA)  
Hon. W. Louis Sands

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

\_\_\_\_\_  
No. 08-15444

(D.C. Docket No. 04-00151-CV-WLS)

<b>FILED</b> <b>U.S. COURT OF APPEALS</b> <b>ELEVENTH CIRCUIT</b> <b>November 9, 2010</b> <b>JOHN LEY</b> <b>CLERK</b>
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WARREN LEE HILL, JR.,

Petitioner-Appellant,

versus

DERRICK SCHOFIELD,

Respondent-Appellee.

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On Appeal from the United States District Court for the  
Middle District of Georgia  
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(Opinion June 18, 2010, 608 F.3d 1272, 11<sup>th</sup> Cir. 2010)

(November 9, 2010)

Before DUBINA, Chief Judge, TJOFLAT, EDMONDSON, BLACK, CARNES, BARKETT, HULL,  
MARCUS, WILSON, PRYOR, and MARTIN, Circuit Judges.

**B Y   T H E   C O U R T :**

A member of this Court in active service having requested a poll on the suggestion of rehearing en banc and a majority of the judges in this Court in active service having voted in favor of granting a rehearing en banc,

IT IS ORDERED that the above cause shall be reheard by this court en banc. The previous panel's opinion is hereby VACATED.